

REMARKS

Entry of the foregoing and reconsideration of the application identified in caption, as amended, pursuant to and consistent with 37 C.F.R. §1.114 and in light of the remarks which follow, are respectfully requested.

At the outset, it is noted that entry of the Amendment Under 37 C.F.R. §1.116 filed April 6, 2006, has been requested in the Request for Continued Examination filed herewith.

By the above amendments, claim 1 has been amended for clarification purposes, and now recites that "the core/shell particles are obtained by dispersion polymerization." Support for this amendment can be found in the instant specification at least at page 9, lines 8-14, taken in connection with page 11, lines 19-23. New dependent claim 12 recites that the surface treatment is a rosin treatment, a polymer treatment, a grafting treatment or a plasma treatment. Support for such new claim can be found in the instant specification at least at page 18, lines 12-16. Entry of the above amendments is proper at least because a Request for Continued Examination is being filed herewith. See 37 C.F.R. §1.114.

Claims 1, 3, 10 and 11 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Application Publication No. 2002/0077383 (*Takao et al*). In this regard, it is respectfully noted that the Advisory Action at page 3 states that entry of the Amendment Under 37 C.F.R. §1.116 filed April 6, 2006 would be effective to overcome this rejection. Entry of such Amendment has been requested in the attached Request for Continued Examination. Accordingly, for at least this reason, withdrawal of the above rejection is respectfully requested.

Claims 1, 3, 10 and 11 stand rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 6,197,847 (*Kato et al*) in view of European Patent Document No. 1 205 815

(EP '815). Withdrawal of this rejection is respectfully requested for at least the following reasons.

It is respectfully submitted that one of ordinary skill in the art would not have been motivated to combine *Kato et al* and EP '815 to arrive at the claimed colored resin particles in the manner suggested by the Patent Office. In this regard, it is noted that *Kato et al* discloses copolymer resin particles obtained by polymerization granulation of a solution comprising (i) at least one monofunctional monomer (A) and (ii) at least one resin for dispersion stabilization (P) (col. 2, line 63 to col. 3, line 30). By comparison, EP '815 discloses that surface-treated colorant pigment particles are dispersed in an organosol containing a carrier liquid (col. 12, lines 56-58; col. 9, line 36 to col. 10, line 8). That is, the lists of materials and processes used to form the resin particles of *Kato et al* are distinct from the materials and processes employed in EP '815. In light of such differences, and absent an improper resort to Applicants' own disclosure, it would not have been obvious to one of ordinary skill in the art that employing the surface-treatment disclosed by EP '815 in connection with the materials and methods used by *Kato et al*, would result in the advantages disclosed by EP '815. While EP '815 discloses various advantages of employing its surface treatment process in connection with the materials and methods disclosed therein, one of ordinary skill would not have been motivated to employ such surface treatment process in connection with the materials and methods disclosed by *Kato et al*.

Accordingly, for at least the above reasons, withdrawal of the above §103(a) rejection is respectfully requested.

With respect to the claim recitation that the shell layer is obtained by dispersion polymerization, the Patent Office has noted that "it would appear that such polymerization would result in the core/shell particle as a whole not just the shell layer" (Advisory Action at

page 2). In this regard, as mentioned above, claim 1 has been amended to clarify that "the core/shell particles are obtained by dispersion polymerization."

From the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order, and such action is earnestly solicited. If the Examiner has any questions concerning this paper or the application in general, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

BUCHANAN INGERSOLL PC (INCLUDING ATTORNEYS
FROM BURNS, DOANE, SWECKER & MATHIS)

Date: June 6, 2006

By: 

Roger H. Lee
Registration No. 46317

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620